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9 **UNITED STATES DISTRICT COURT**  
10 **WESTERN DISTRICT OF WASHINGTON**

11 TERRY BERNSTEN,

12 Plaintiff,

13 v.

14 RITE AID, et al.,

15 Defendants.  
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**Case No. C05-5097 JKA**

**ORDER DENYING PLAINTIFF'S  
MOTION FOR RECONSIDERATION**

18 THIS MATTER comes before the court on Plaintiff's Motion for Reconsideration. Specifically plaintiff  
19 asks the court to reconsider that portion of the Summary Judgement Order of August 12, 2005 where the  
20 Court granted defendants' counterclaim for statutory damages pursuant to RCW 4.24.510 .  
21

22 Motions for reconsideration are disfavored. The court will ordinarily deny such motions in the absence  
23 of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not  
24 have been brought to its attention with reasonable diligence. Local Rules W.D. Wash. 7(h). No such showing  
25 has been made. Pursuant to Rule 7(h)(3) no response is requested by the court.

26 **Plaintiff's motion for reconsideration is denied.**

27 Dated this 6th<sup>th</sup> day of September, 2005  
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/s/ J. Kelley Arnold  
U.S. Magistrate Judge, J. Kelley Arnold

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September 6, 2005

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J. Kelley Arnold, U.S. Magistrate Judge